S.B.Cr.Misc. Bail App. No.4590/2007

(Somji & Anr. Vs. State of Rajasthan)

Date of order : September 17, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.P.R.Mehta, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned and the challan papers.

It is contended by the learned counsel for the petitioners that similarly situated co-accused Smt. Kachari and Smt. Kali have been granted bail by this Court vide order dt. 12.9.2007. While granting bail to these co-accused, this Court noticed that the allegation of causing injuries are specifically against Lala and Gulab. Though in the FIR, Harish has been named but in the statement under section 161 Cr.P.C., the first informant stated that the injury has been caused by Gulab by sword and name of Harish has been inadvertently mentioned.

Having regard to the facts and circumstances of the case

and the fact that similarly situated co-accused have been granted bail, I consider it just and proper to enlarge the accused petitioners on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Somji s/o Lala and Harish s/o Lala be released on bail in FIR No.151/2007, P.S. Sadar, Distt. Banswara provided each of them furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-